

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

VALERO MARKETING AND SUPPLY
COMPANY,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

CIVIL ACTION NO. 5:19-cv-00328-DAE

NOTICE OF APPEAL

Notice is hereby given that Plaintiff Valero Marketing and Supply Company (“VMSC”) hereby appeals to the United States Court of Appeals for the Fifth Circuit from the Order Granting the Defendant’s Motion for Partial Judgment on the Pleadings (ECF 38) entered on July 31, 2020, and from the final Judgment in a Civil Action (ECF 48) entered on April 21, 2021, to the extent such final judgment allows VMSC to take nothing on its claims that were dismissed via the Order Granting the Defendant’s Motion for Partial Judgment on the Pleadings (ECF 38).

Dated: June 8, 2021

/s/ Adam P. Feinberg

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CERTIFICATE OF SERVICE

I hereby certify that on June 8, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF System, which will send notice of such filing to the following registered CM/ECF users:

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